

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

AMERICAN PATENTS, LLC

Plaintiff,

v.

SEIKO EPSON CORPORATION and
EPSON PRECISION PHILIPPINES, INC.,

Defendants

Civil Action No. 4:21-cv-00718-ALM

JURY TRIAL DEMANDED

**DECLARATION OF SIRANUSH ARABIAN IN SUPPORT OF MOTION TO DISMISS
FOR FAILURE TO STATE A CLAIM UNDER RULE 12(b)(6) OR, IN THE
ALTERNATIVE, TO TRANSFER VENUE TO THE CENTRAL DISTRICT OF
CALIFORNIA**

I, Siranush Arabian, declare as follows:

1. I am employed as Director of Services and Support Operations with Epson America, Inc. ("Epson America"), and I make this declaration based upon my personal knowledge following a reasonable investigation. If called upon to testify, I could and would testify competently to the matters set forth below.

2. I understand that American Patents, LLC ("AP") has accused Seiko Epson Corporation and Epson Precision Philippines, Inc. of infringing certain patents based upon their alleged use of certain products, including the Epson EpiqVision Mini EF12 Smart Streaming Laser Projector, Epson PowerLite 1288 Full HD 1080p Meeting Room Projector with Built-in Wireless and Miracast, and Epson Moverio BT-40S Smart Glasses with Intelligent Touch Controller families of products that include 802.11n and above capabilities, and the Epson EpiqVision Mini EF12 Smart Streaming Laser Projector and Epson Moverio BT-350 Smart

Glasses families of products, that include 802.11ac beamforming capabilities (“the Accused Products”).

3. I also understand that AP has alleged that “Epson and its affiliates are part of the same corporate structure and distribution chain for the making, importing, offering to sell, selling, and using of the accused devices in the United States, including in the State of Texas generally and this judicial district in particular,” and AP has identified Epson America as one of Epson’s “United States based affiliates” that is included in “Epson’s established United States distribution channels.”

4. Epson America is a California corporation headquartered in Los Alamitos, California, with its principal place of business at 3131 Katella Ave., Los Alamitos, California 90720.

5. Epson America personnel with information relating to Epson’s projectors, laser projectors, smart glasses, printers, and other categories of products—including the Accused Products—are principally located in Epson America’s headquarters in Los Alamitos, California. Because Epson America’s headquarters are located in Los Alamitos, California, Epson America’s principal marketing, sales, distribution, and technical service documentation and personnel relating to its projectors, laser projectors, smart glasses, printers, and other categories of products—including the Accused Products—are located there.

6. For example, all user manuals for Epson’s projectors, laser projectors, smart glasses, printers, and other categories of products—including the Accused Products—are prepared for the United States market in Los Alamitos, California, and the master versions of these manuals are maintained in Los Alamitos.

7. Information pertaining to Epson's projectors, laser projectors, smart glasses, printers, and other categories of products—including the Accused Products—is available on www.epson.com, which is operated and controlled by Epson America for the U.S. market.

8. Epson America employs over 600 employees at its headquarters in Los Alamitos, California, which is the majority of its U.S. employees. As of now, Epson America has identified at least the following five Epson America employees, with relevant knowledge regarding sales, marketing, revenues, and profits of the Accused Products, all of whom work out of the Los Alamitos, CA office:

- a. Myself, Sira Arabian, Director of Services and Support Operations; I have knowledge about, and am responsible for various aspects of technical support and services relating to, Epson's projectors, laser projectors, smart glasses, printers, and other categories of products, including the Accused Products;
- b. Scott Sturcke, Director of Creative Services, Online Marketing, & Video, who is responsible for various aspects of the marketing and sales relating to Epson's projectors, laser projectors, smart glasses, printers, and other categories of products, including the Accused Products;
- c. Kathy Mester, Manager, Finance, who is responsible for various aspects of the sales and financial accounting relating to Epson's projectors, laser projectors, smart glasses, printers, and other categories of products, including the Accused Products;
- d. Nils Madden, Senior Marketing Director, Consumer Imaging & Printing, who resides in San Diego County in California but who works out of, and

makes frequent trips to, Los Alamitos as part of his employment, and who is responsible for various aspects of the marketing and sales relating to Epson's projectors, laser projectors, printers, and other categories of products, including the Accused Products; and

- e. Mark Roslon, Director, Commercial Projectors who is responsible for various aspects of the marketing and sales relating to Epson's projectors, laser projectors, smart glasses, and other products including the Accused Products.

9. None of the witnesses listed above live or work in the Eastern District of Texas, and neither do any of the Epson America employees who report to them.

10. Epson America has no facility in the state of Texas.

11. Epson America is the only company within the Epson corporate structure with responsibility for sales in the U.S. market of Epson's projectors, laser projectors, smart glasses, printers, and other categories of products, including the Accused Products.

12. Epson America is a wholly-owned subsidiary of Seiko Epson Corporation.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on December 21, 2021

